Officer Bryan was present when they were removed from the engine assembly. Deputy Armstrong was there at the time. Deputy Armstrong took them back to the jail. If the Court wants, I'll bring Deputy Armstrong in to (inaudible) that link. They have been under lock and key before and since, I mean, it's theoretically possible, somebody substituted a whole big engine, but I think it's stringy, but I'll certainly put Deputy Armstrong on.

JUDGE BYRD: All..

MR CRAWFORD: At this time, I would also like to renew my objection that I made earlier in chambers to the introduction of this exhibit at, at, without the opportunity to cross-examine the analysis..the person that did the analysis.

JUDGE BYRD: All right, I will admit the analysis subject to closing the gap with Deputy Armstrong. And overrule your objection on the basis of the laboratory analysis not..

MR. CRAWFORD: Someone is knocking on the door over here.

JUDGE BYRD: Over here? Somebody.. (inaudible) Mr. Crawford, I will overrule your objection on the basis of Mr. Hamby not being here on the basis that I feel that the defense has not used due diligence to acquire his presence here. And I will again introduce this, after the, subject to the chain, with Deputy Armstrong being shown.

MR. CRAWFORD: Your Honor, will..

JUDGE BYRD: Pardon? Oh, O.K.

MR CRAWFORD: I would just like the record to reflect that the Commonwealth never in any discovery indicated that such certificate of analysis existed and that the defense found out about this analysis only on the very day it was filed, the day after it was filed, six days prior to trial and that there of those, you know, three of those days, were weekends or holidays.

JUDGE BYRD: What is your response to

that, Mr. Singleton?

MR. SINGLETON: Judge, my response to that is that lab report that Mr. Crawford is referring to was originally filed in this Court House with the General District Court, September the 10th, 1980, unfortunately Mr. Crawford was not counsel at that time. Following that date on..Circuit Court Judge for this Court, Judge Stephenson on October 10th, 1980, and a discovery order ordered that this material provided to counsel for the defense, who at that time was Mr. William A. Parks, who had seen the lab report. It has been filed with this court more than the statutory 7 days as is required by law. Mr. Crawford and his associate became aware of it either that day or the following day and no attempt has been made to my knowledge to get Mr. Hamby here since then except maybe a phone call, which was..they got no answer and there are procedures for getting out of state witnesses. We brought four in

here today and as I understand it, Mr. Crawford's made no attempt.

MR CRAWFORD: We issued..we had the Clerk issue a summons, but there was.. you know, the Court's indicated at the time of the pretrial conference that there was not enough time to get anybody to follow that procedure.

JUDGE BYRD: Allright, I will..

MR CRAWFORD: And one other thing here that, if Mr. Singleton provided this copy to Mr. Parks, I would have gotten a copy cause Mr. Parks provided me with his whole file.

MR. SINGLETON: No, I provided him with no copies, it was on file in the General District Court Clerk's Office from September 10th on until about two weeks ago and Mr. Parks was fully aware of it.

MR. CRAWFORD: This is..you are saying that Mr. Parks was aware of it?

JUDGE BYRD: All right.

MR SINGLETON: I'm saying he was in this case, if he wasn't that was his dereliction, not mine(inaudible)

JUDGE BYRD: All right, I think it has been well aired and it's on the record and for the reasons that I have stated I will overrule your objection and I will admit the certificate subject to Deputy Armstrong closing that chain of custody from the time he got possession of it until he turned it over to Officer Bryan and we are going to take about a five-minute recess.

MR. CRAWFORD: I would just like to put one other thing on the record, Your Honor. I'm sure it probably would appear in the record but that the defendants were not afforded a preliminary hearing where, if they were then, filing it with the General District Court would be meaningful, but filing it with the General District Court without ever having a hearing, of

course, is meaningless.

JUDGE BYRD: Well, I think the record will show that a preliminary hearing was scheduled in District Court but then the case was nolle prossed right before the preliminary hearing and then submitted directly to the Grand Jury for the next term of Court. That's the reason it was originally filed, apparently, in the General District Court. All right, we will take a five-minute recess. Let the record show that the defendants and their counsel are present and that all members of the jury are present and the Commonwealth's Attorney is present.

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY.

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1139)

JUANITA SHAFFIER MEAD, d.o.b. 6/29/1931

This day came the Attorney for the Commonwealth, and Juanita Shaffier Mead, age 50, who stands indicted for a felony, to-wit: did feloniously break and enter in the daytime, a storehouse belonging to Julian Shaffier with the intent to commit larceny, in violation of Section 18.2-91 as charged in the indictment, appeared according to the condition of her recognizance and came also Malcolm G. Crawford, her attorney.

Whereupon the accused was arraigned and after private consultation with her attorney, pleaded not guilty to the indictment, which plea was tendered by the accused in person.

The Court than impanelled twenty

qualified jurors, free from exceptions for the trial of the defendant, in the manner provided by law, three having been disqualified. Whereupon the attorney for the Commonwealth and the Attorney for the defendant exercised their rights to strike names from the panel, as provided by law, and the remaining twelve jurors, constituting the jury for the trial of the defendant, were duly sworn.

After opening statements, the court and jury heard the evidence presented by the Commonwealth and the defendant. At the conclusion of the Commonwealth's evidence, the attorney for the defendant moved the court to strike the Commonwealth's evidence which motion was overruled and exception was noted; at the conclusion of all the evidence, the attorney for the defendant renewed his motion to strike the Commonwealth's evidence, which motion was overruled and exception was noted, and were

adjourned over until tomorrow at 8:00

o'clock A.M.

Law Order Book 15
Page 392 Enter: July 8, 1981

/s/ Duncan M. Byrd, Jr.
Judge

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1139)

JUANITA SHAFFIER MEAD, d.o.b. 6/29/1931

This day came again the Attorney for the Commonwealth and came the defendant, Juanita Shaffier Mead, and her attorney, Malcolm G. Crawford, and the Jury adjourned over on July 8, 1981 appeared pursuant to their adjournment.

After hearing the evidence, the instructions of the court and argument of counsel, the jurors were sent to the jury room to consider their verdict. They subsequently returned their verdict in open court, reading: We, the jury find the accused Juanita S. Mead guilty of breaking and entering as charged in the indictment and fix her punishment at $1,000 Fine. B. G. McElwee, Foreman.

The Attorney for the defendant then

moved the court to set aside the verdict, which motion was overruled and exception was noted.

The Court then asked the defendant whether she desired to make a statement or to advance any reason why judgment should not be pronounced against her. The Court having heard and considered the defendant's statement by her attorney, the court finds the defendant guilty of breaking and entering as charged in the indictment and fixes her punishment at $1,000.00 Fine.

It is ordered that the defendant pay and the Commonwealth recover against the defendant a fine of $1,000.00 and costs in the amount of $1,483.90.

After pronouncing punishment the court advised the defendant of her right to petition to appeal to the Supreme Court of Virginia and that he will withhold the imposition of the punishment for thirty (30) days to allow them to apply for a writ of error.

It is ordered that W. Claude Dodson, Court Reporter, be allowed the sum of $17.50 out of the State Treasury, which amount is ordered certified to the Supreme Court for payment.

The court certified that at all times during the trial of this case the defendant was personally present and her attorney was likewise personally present and capably represented the defendant and all evidence and all incidents of trial were recorded by electronic equipment.

Enter: July 9, 1981

/s/ Duncan M. Byrd, Jr.
Judge

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VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1140)

JUANITA SHAFFIER MEAD, d.o.b. 6/29/1931

This day came the Attorney for the Commonwealth, and Juanita Shaffier Mead, age 50 who stands indicted for a felony, to-wit: did feloniously commit larceny of the good and chattels of Julian Shaffier in the value of more than $200.00 in violation of Section 18.2-95 as charged in the indictment, appeared according to the condition of her recognizance and came also Malcolm G. Crawford, her attorney.

Whereupon the accused was arraigned and after private consultation with her said attorney, pleaded not guilty to the indictment, which plea was tendered by the accused in person.

The Court then impanelled twenty gualified jurors, free from exceptions

for the trial of the defendant, in the manner provided by law, three having been disqualified. Whereupon the attorney for the Commonwealth and the Attorney for the defendant exercised their rights to strike names from the panel, as provided by law, and the remaining twelve jurors, constituting the jury for the trial of the defendant, were duly sworn.

After opening statements, the court and jury heard the evidence presented by the Commonwealth and the defendant. At the conclusion of the Commonwealth's evidence, the attorney for the defendant moved the court to strike the Commonwealth's evidence which motion was overruled and exception was noted; at the conclusion of all the evidence, the attorney for the defendant renewed his motion to strike the Commonwealth's evidence, which motion was overruled and exception was noted, and were ajourned

over until tomorrow at 8:00 o'clock A.M.

Law Order Book 15

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Enter: July 8, 1981

/s/ Duncan M. Byrd, Jr.
Judge

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1140)

JUANITA SHAFFIER MEAD, d.o.b. 6/29/1931

This day came again the Attorney for the Commonwealth and came the defendant, Juanita Shaffier Mead, and her attorney, Malcolm G. Crawford and the Jury adjourned over on July 8, 1981 appeared pursuant to their adjournment.

After hearing the evidence, the instructions of the court and argument of counsel, the jurors were sent to the jury room to consider their verdict. They subsequently returned their verdict in open court, reading: We, the jury find the accused Juanita S. Mead guilty of Larceny as charged in the Indictment and fix her punishment at $1,000.00 Fine. E. G. McElwee, Foreman.

The Attorney for the defendant then

moved the court to set aside the verdict, which motion was overruled and exception was noted.

The Court then asked the defendant whether she desired to make a statment or to advance any reason why judgment should not be pronounced against her. The Court having heard and considered the defendant's statement by her attorney, the Court finds the defendant guilty of larceny as charged in the indictment and fixes her punishment at $1,000.00 Fine.

It is further orded that the defendant pay and the Commonwealth recover against the defendant a fine of $1,000.00 and costs in the amount of $57.50.

After pronouncing the punishment, the court advised the defendant of her right to petition to appeal to the Supreme Court of Virginia and that he will withhold imposition of the punishment for thirty (30) days to allow them to apply for a writ of error.

The Court certified that at all times during the trial of this case the defendant was personally present and her attorney was likewise personally present and capably represented the defendant and all evidence and all incidents of trial were recorded by electronic equipment.

Enter: July 9, 1981

/s/ Duncan M. Byrd, Jr.
Judge

Law Order Book 15
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VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1141)

WILLIAM LENIER HAMILTON, d.o.b. 6/28/1948

This day came the Attorney for the Commonwealth, and William Lenier Hamilton, age 33, who stands indicted for a felony, to-wit: did feloniously break and enter, in the daytime, a storehouse belonging to Julian Shaffier with the intent to commit larceny in violation of Section 18.2-91 as charged in the indictment, appeared according to the condition of his recognizance and came also Malcolm G. Crawford, his attorney.

Whereupon the accused was arraigned and after private consultation with his said attorney, pleaded not guilty to the indictment, which plea was tendered by the accused in person.

The Court then impanelled twenty qualified jurors, free from exceptions

for the trial of the defendant, in the manner provided by law, three having been disqualified. Whereupon the attorney for the Commonwealth and the attorney for the defendant exercised their rights to strike names from the panel, as provided by law, and the remining twelve jurors, constituting the jury for the trial of the defendant, were duly sworn.

After opening statements, the court and jury heard the evidence presented by the Commonwealth and the defendant. At the conclusion of the Commonwealth's evidence, the attorney for the defendant moved the court to strike the Commonwealth's evidence which motion was overruled and exception was noted; at the conclusion of all the evidence, the attorney for the defendant renewed his motion to strike the Commonwealth's evidence, which motion was overruled and exception was noted, and were

adjourned over until tomorrow at 8:00 o'clock A.M.

Law Order Book 15 Enter: July 8, 1981

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/s/ Duncan M. Byrd, Jr.
Judge

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1141)

WILLIAM LENIER HAMILTON, d.o.b. 6/28/1948

This day came again the Attorney for the Commonwealth and came the defendant, William Lenier Hamilton, and his attorney, Malcolm G. Crawford and the Jury adjourned over on July 8, 1981 appeared pursuant to their adjournment.

After hearing the evidence, the instructions of the court and argument of counsel, the jurors were sent to the jury room to consider their verdict. They subsequently returned their verdict in open court, reading: We, the jury find the accused William L. Hamilton guilty of Breaking and Entering as charged in the Indictment and fix his punishment at $1,000.00 Fine. B. G. McElwee, Foreman.

The Attorney for the defendant then moved the court to set aside the verdict,

which motion was overruled and exception was noted.

The Court then asked the defendant whether he desired to make a statement or to advance any reason why judgment should not be pronounced against him. The court having heard and considered the defendant's statement by his attorney, the court finds the defendant guilty of Breaking and entering as charged in the indictment and fixes his punishment at $1,000.00 Fine.

It is further ordered that the defendant pay and the Commonwealth recover against the defendant a fine of $1,000.00 and costs in the amount of $483.90.

After pronouncing punishment, the court advised the defendant of his right to petition to appeal to the Supreme Court of Virginia and that he will withhold the imposition of the punishment for thirty (30) days to allow him to apply for a writ of error.

The Court certifies that at all times during the trial of this case the defendant was personally present and his attorney was likewise personally present and capably represented the defendant and all evidence and all incidents of trial were recorded by electronic equipment.

It is ordered that W. Claude Dodson, Court Reported, be allowed the sum of $17.50 out of the State Treasury, which amount is ordered certified to the Supreme Court for payment.

Enter: July 9, 1981

/s/ Duncan M. Byrd, Jr.
Judge

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VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1142)

WILLIAM LENIER HAMILTON, d.o.b. 6/28/1948

This day came the Attorney for the Commonwealth, and William Lenier Hamilton, age 33, who stands indicted for a felony, to-wit: did feloniously commit larceny of the goods and chattels of Julian Shaffier in the value of more than $200.00 in violation of 18.2-95 as charged in the indictment, appeared according to the condition of his recognizance and came also Malcolm G. Crawford, his attorney.

Whereupon the accused was arraigned and after private consultation with his said attorney, pleaded not guilty to the indictment, which plea was tendered by the accused in person.

The Court then impanelled twenty qualified jurors, free from exceptions

for the trial of the defendant, in the manner provided by law, three having been disqualified. Whereupon the attorney for the Commonwealth and the attorney for the defendant exercised their rights to strike names from the panel, as provided by law, and the remaining twelve jurors, constituting the jury for the trial of the defendant, were duly sworn.

After opening statements, the court and jury heard the evidence presented by the Commonwealth and the defendant. At the conclusion of the Commonwealth's evidence, the attorney for the defendant moved the court to strike the Commonwealth's evidence which motion was overruled and exception noted; at the conclusion of all the evidence, the attorney for the defendant renewed his motion to strike the Commonwealth's evidence, which motion was overruled and exception was noted, and

were adjourned over until tomorrow at 8:00 o'clock A.M.

Law Order Book 15 Enter: July 8, 1981

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/s/ Duncan M. Byrd, Jr.
Judge

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENT FOR A FELONY - CASE NO. 1142)

WILLIAM LENIER HAMILTON, d.o.b. 6/28/1948

This day came again the Attorney for the Commonwealth and came the defendant, William Lenier Hamilton, and his attorney, Malcolm G. Crawford and the Jury adjourned over on July 8, 1981 appeared pursuant to their adjournment.

After hearing the evidence, the instructions of the court and argument of counsel, the jurors were sent to the jury room to consider their verdict. They subsequently returned their verdict in open court, reading: We, the Jury find the accused William L. Hamilton guilty of Larceny as charged in the indictment and fix his punishment at $1,000.00 Fine. B. G. McElwee, Foreman.

The Attorney for the defendant then

moved the court to set aside the verdict, which motion was overruled and exception was noted.

The Court then asked the defendant whether he desired to make a statement or to advance any reason why judgment should not be pronounced against him. The Court having heard and considered the defendant's statement by his attorney, the Court finds the defendant guilty of Larceny as charged in the indictment and fixes his punishment at $1,000.00 Fine.

It is further ordered that the defendant pay and the Commonwealth recover against the defendant a fine of $1,000.00 and costs in the amount of $57.50.

After pronouncing punishment, the court advised the defendant of his right to petition to appeal to the Supreme Court of Virginia and that he will withhold the imposition of the punishment for thirty (30)

days to allow them to apply for a writ of error.

The Court certified that at all times during the trial of this case the defendant was personally present and his attorney was likewise personally present and capably represented the defendant and all evidence and all incidents of trial were recorded by electronic equipment.

Enter: July 9, 1981

/s/ Duncan M. Byrd, Jr.
Judge

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VIRGINIA: In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 4th day of June, 1982.

Juanita Shaffier Mead and
William Lenier Hamilton,

Appellants,

against Record No. 811710
Circuit Court Nos. 1139 through 1142

Commonwealth of Virginia,

Appellee.

From the Circuit Court of Bath County

Finding no reversible error in the judgments complained of, the court refuses the petitions for appeal filed in the above-styled case.

A Copy,

Teste:

Allen L. Lucy, Clerk

By:

Deputy Clerk

IN THE SUPREME COURT OF VIRGINIA AT RICHMOND

WILLIAM L. HAMILTON	)	
and	)	
JUANITA S. MEAD, Appellants	)	
v.	)	Record No. 811710
COMMONWEALTH OF VIRGINIA,	)	
Appellee	)	

NOTICE OF APPEAL

TO THE

SUPREME COURT OF THE UNITED STATES

Notice is hereby given that William L. Hamilton and Juanita S. Mead, the appellants above named, hereby appeal to the Supreme Court of the United States from the final judgment of the Supreme Court of Virginia entered on June 4, 1982, finding no reversible error in the judgment of the Circuit Court of Bath County. This appeal is taken pursuant to 28 USC 1257 (2).

JUANITA S. MEAD
and
WILLIAM L. HAMILTON

BY COUNSEL

M. G. Crawford, Esquire, p.q.
15 South Jefferson St.
Lexington, VA 24450

/s/ M. G. Crawford

CERTIFICATE

I Malcolm G. Crawford, do hereby certify that I have served a true copy of the foregoing Notice of Appeal on John C. Singleton, Commonwealth's Attorney for Bath County with a business address of P. O. Box 116, Warm Springs, Virginia 24484, this 27th day of August, 1982, pursuant to Rule 28.3 of the Rules of the Supreme Court of the United States. All parties required to be served have been served.

/s/ M. G. Crawford

Commonwealth of Virginia
Department of General Services
Division of Consolidated Laboratory Services

CERTIFICATE OF ANALYSIS

Western Laboratory
920 S. Jefferson St.
Room #219
Roanoke, VA 24016

Tele. No. (703) 982-7192

September 8, 1980

Sheriff
Bath County Sheriff's Department
P. O. Box 218
Warm Springs, VA 24484

Attention: R. L. Armstrong
T. Chapman

Case # 81780A F.S. Lab # 80W-1034

Victim(s): SHAFFIER, Julian R.
Examiner: James E. Hamby
Suspect(s): MEAD, Juanita S.
HAMILTON, William L.
Date Received: 9/2/80

Evidence Submitted By: Sheriff J. W. Bryan, Jr.

Item Q5 One (1) right value cover, painted gold in color.

Item Q6 One (1) left value cover, painted gold in color.

Item K1 One (1) right head from engine.

Item K2 One (1) left head from engine.

FINDINGS:

Examination of the Items Q5 and Q6 value covers in conjunction with the Items K1 and K2 engine heads revealed that, at one time, Q5 and K1 plus Q6 and K2 were single assembled units.

The evidence is available for pick up at this laboratory. Other requested examinations will be subject of future reports.

/s/ J. E. Hamby

State of Virginia
City/County of Roanoke, to-wit:

This day personally appeared before me, Carol M. Moseley, a notary public, in and for the city/county in the Commonwealth of Virginia, James E. Hamby, who signed the foregoing Certificate of Analysis, before me, and after being duly sworn, made oath (1) that he performed the analysis and/or examination the results of which are herein contained, (2) that said analysis and/or examination was performed in a laboratory operated by the Division of Consolidated Laboratory Services of the Commonwealth or authorized by such Division to conduct such analysis and/or examination and (3) that this Certificate of Analysis is true and correct.

Given under my hand this 8th day of September, 1980.

My commission expires: June 19, 1982.

/s/ Carol M. Moseley
Notary Public

Filed in the Clerk's Office of Bath County Circuit Court June 30, 1981, _____
_____, Deputy Clerk.

VIRGINIA: IN THE CIRCUIT COURT OF BATH COUNTY

COMMONWEALTH OF VIRGINIA

v. (UPON INDICTMENTS FOR FELONIES - CASE NOS. 1139-1142)

WILLIAM L. HAMILTON AND JUANITA MEAD

This cause came on the 10th day of October, 1980, to be heard upon the motions of the defendants for Discovery in accordance with rules of the Supreme Court of Virginia, for a Bill of Particulars, and to supress the evidence seized in a search of the premises owned by the defendant, Juanita Mead, on August 22, 1980; upon the appearance of the defendant, William L. Hamilton, in person and by counsel; upon the appearance of the defendant, Juanita Mead by counsel; upon the appearance of the Attorney for the Commonwealth; and was argued by counsel.

And it appearing proper to do so, it is

accordingly ADJUDGED, ORDERED, and DECREED as follows:

1. That the attorney for the Commonwealth shall, on or before November 14, 1980, permit the accused to inspect and copy or photograph any relivant:

(a) Written or recorded statements or confessions made by the accused or copies thereof that are known by the Commonwealth's attorney to be within the possessions, custody, or control of the Commonwealth;

(b) Written reports of autoposies, ballistics tests, fingerprint analyses, handwriting analyses, blood urine and breath test, other scientific reports and written reports of a physical or mental examination of the accused or the alleged victim made in connection with this case or copies thereof that are known by the Commonwealth's attorney to be within the possession, custody or control of the

Commonwealth.

2. That the attorney for the Commonwealth shall, on or before November 14, 1980, permit the accused to inspect and copy or photograph the automobile and all items seized in the search of August 22, 1980 that are in the possession, custody or control of the Commonwealth upon the grounds that the accused have stated that the items sought are material for the preparation of the defense and that the request for such information is reasonable.

3. That the attorney for the Commonwealth shall, on or before November 14, 1980, or as soon as such information comes to the attention of the attorney for the Commonwealth provide the accused with each and every person known by the Commonwealth to be in possession of evidence which may tend to be exculpatory of the accused.

That the attorney for the Commonwealth, shall on or before November 14, 1980, provide the defendants with a Bill of Particulars specifying what the defendants did in perpetrating the alleged crimes and when and where the same occurred.

It is further ADJUDGED, ORDERED and DECREED as follows:

1. That on or before November 14, 1980 the defendants shall permit the attorney for the Commonwealth to inspect, copy or photograph any written reports described in the preceding paragraph one (1) of this order and all other provided for under Rule 3A:14 (c).

2. That the defendants shall disclose the place at which they and each of them claim to have been at the time of the commission of the alleged offenses within fifteen (15) days of the receipt by the defendants, from the attorney for the Commonwealth, of the information

required by the preceding paragraph 4 of this order.

It is further ADJUDGED, ORDERED and DECREED that the defendant's motion to suppress the evidence seized pursuant to the search warrant of August 22, 1980 should be and is hereby taken under advisement.

And this case is continued.

Enter: October 17, 1980

/s/ Roscoe Stephenson
Judge

Seen and objected to:

/s/ John C. Singleton a.c.

/s/ William Parks p.d.

Law Order Book 15
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July 2, 1981

Claude W. Dodson, Clerk
Circuit Court of Bath County
Warm Springs, Virginia

Re: Commonwealth v. Juanita Mead
Commonwealth v. William Hamilton

Dear Mr. Dodson:

Please summon the following additional witnesses for the trial to be held on July 8, 1981:

1. James E. Hamby, Division of Consolidated Laboratory Services, Bureau of Forensic Science, 920 South Jefferson Street, Roanoke, Virginia 24016.

2. Robert Trainer, Route 92, Greenbriar County, West Virginia

3. Spencer Ray Hull, Route 92, Greenbriar County, West Virginia

4. Donnie Robertson, Warm Springs, Virginia

5. Wayne Burns, Bacolva, Virginia

Thank you for your attention to this.

Respectfully yours,

Malcolm G. Crawford

The Commonwealth of Virginia

To the Sheriff of the City of Roanoke, Greeting:

WE COMMAND YOU, That you summon James E. Hamby - Division of Consolidated Laboratory Services, Bureau of Forensic Science, 920 South Jefferson Street, Roanoke, VA. 24016 to appear befor the Judge of our Circuit Court of the County of Bath at the Courthouse thereof, on the 8th day of July, 1981, at 9:30 o'clock A.M., to testify and the truth to say in behalf of the Defendants, in a certain matter of controversy in our said Court, before the said Judge, depending and undetermined, between the Commonwealth of Virginia, Plaintiff, and Juanita Mead and William Hamilton, Defendants.

And have then there this writ.

WITNESS, W. Claude Dodson, Clerk of our said Court, at the Courthouse, this 6th day of July, 1981, and in the 206th

year of the Commonwealth.

/s/ W. Claude Dodson ,
Clerk

CONSTITUTION OF UNITED STATES

(Amendment VI)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

CONSTITUTION OF UNITED STATES

(Amendment XIV)

All personsborn or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or

immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Code of Virginia 1950, As Amended

§19.2-187. Admission into evidence of certain certificates of analysis.

In any hearing or trial of any criminal offense, a certificate of analysis of a person performing an analysis or examination, performed in any laboratory operated by the Division of Consolidated Laboratory Services or authorized by the Federal Bureau of Alcohol, Tobacco and Firearms, or the Federal Drug Enforcement Administration when such certificate is duly attested by such person, shall be admissible in evidence as evidence of the facts therein stated and the results of the analysis or examination referred to therein, provided that the certificate of analysis shall be filed with the clerk of the court hearing the case at least seven days prior to the hearing or trial.

Any such certificate of analysis

purporting to be signed by any such person shall be admissible as evidence in such hearing or trial without any proof of the seal or signature or of the official character of the person whose name is signed to it.

§19.2-187.1. Right to examine person performing analysis.

The accused in any hearing or trial in which a certificate of analysis is admitted into evidence pursuant to §19.2-187 or §19.2-187.01 shall have the right to call the person performing such analysis or examination or involved in the chain of custody as a witness therein, and examine him in the same manner as if he had been called as an adverse witness. Such witness shall be summoned and appear at the cost of the Commonwealth.

Rules of Supreme Court of Virginia

Rule 5:29. Denial of Appeal; Petition

for Rehearing.

When an appeal is denied, the clerk of this Court shall notify counsel for the appellant and counsel for the appellee in writing. Counsel for the appellant, may, within, fourteen (14) days after the date of the notice, file a petition for rehearing in the office of the clerk of this Court. The petition shall state that a copy has been mailed or delivered to counsel for the appellee. Eight (8) copies shall be filed. Carbon copies are acceptable. Oral argument on the petition will not be allowed. No responsive brief shall be filed unless requested by the Court. The clerk of this Court shall notify counsel for the appellant and counsel for the appellee of the action taken by the Court on the petition for rehearing.